

(Stipulating Parties on Signature Page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

SMITHKLINE BEECHAM CORPORATION,) Case No. 4:07-cv-05702 CW
d/b/a GLAXOSMITHKLINE,)
Plaintiff,)
v.)
ABBOTT LABORATORIES,)
Defendant.)
)
)
)
)
)
)
)
)

**JOINT STIPULATION AND [PROPOSED]
ORDER REGARDING EXTENDED
BRIEFING AND EXPEDITED HEARING
SCHEDULE FOR THE MOTION TO
DISMISS THE SECOND AMENDED
COMPLAINT (ECF NO. 633)**

JOINT STIPULATION

WHEREAS, on March 11, 2015, Defendant Abbott Laboratories filed its Motion to Dismiss Plaintiff GSK's Second Amended Complaint, ECF No. 633;

WHEREAS, GSK's response to Abbott's Motion to Dismiss is presently due by March 25, 2015, Abbott's reply to GSK's response is presently due by April 1, 2015, and a hearing on the Motion to Dismiss is set for May 7, 2015;

WHEREAS, the Parties final pretrial conference is set for April 8, 2015, at 2:00 p.m.; and

WHEREAS, the Parties, having conferred, have agreed to an extended briefing and expedited hearing schedule, with GSK's response to Abbott's Motion to Dismiss to be due by March 27, 2015, Abbott's reply to GSK's response to be due by April 3, 2015, and the hearing on the Motion to Dismiss to occur on April 8, 2015 in conjunction with the Parties' final pretrial conference;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action through their undersigned counsel, as follows:

1. GSK's response to Abbott's Motion to Dismiss the Second Amended Complaint shall be due by March 27, 2015;

2. Abbott's reply to GSK's response shall be due by April 3, 2015; and

3. The hearing on the Motion to Dismiss shall occur on April 8, 2015, in conjunction with the Parties' final pretrial conference.

DATED: March 13, 2015

By: /s/ *James F. Hurst*

By: J. S. James

KIRKLAND & ELLIS LLP

Attorney for Defendant

ABBOTT LABORATORIES

James F. Hurst (*Admitted Pro Hac Vice*)

KIRKLAND & ELLIS LLP

300 North LaSalle
Chicago, IL 60610

Chicago, IL 60654
Tel. 1-212-862

Telephone: 312-862-2000
Facsimile: 312-862-2200

Facsimile: 312-862-2200
Email: james.burst@kirk.com

Email: james.nurst@kirkland.com

Charles B. Klein (*Admitted Pro Hac Vice*)
Matthew A. Campbell (*Admitted Pro Hac*)

Matthew A. Campbell (*Admitted To The Bar*)

1 WINSTON & STRAWN LLP
2 1700 K Street, N.W.
3 Washington, DC 20007
4 Telephone: 202-282-5000
5 Facsimile: 202-282-5100
6 Email: cklein@winston.com
7 Email: mcampbell@winston.com

8 Jeffrey I. Weinberger (SBN 56214)
9 Stuart N. Senator (SBN 148009)
10 Keith R.D. Hamilton (SBN 252115)
11 Caroline McKay Cunningham (SBN 270927)
12 MUNGER, TOLLES & OLSON LLP
13 355 South Grand Avenue
14 Los Angeles, CA 90071-1560
15 Telephone: 213-683-9100
16 Facsimile: 213-687-3702
17 Email: jeffrey.weinberger@mto.com
18 Email: stuart.senator@mto.com
19 Email: keith.hamilton@mto.com
20 Email: caroline.cunningham@mto.com

21 DATED: March 13, 2015

22 By: /s/ Brian Hennigan
23 Brian Hennigan
24 HUESTON HENNIGAN LLP
25 Attorney for Plaintiff
26 GLAXOSMITHKLINE

27 Brian Hennigan (SBN 86955)
28 Moez M. Kaba (SBN 257456)
1 C. Mitchell Hendy (SBN 282036)
2 HUESTON HENNIGAN LLP
3 523 W. Sixth St., Suite 400
4 Los Angeles, CA 90014
5 Telephone: (213) 788-4340
6 Facsimile: (888) 775-0898
7 Email: bhennigan@hueston.com;
8 Email: mkaba@hueston.com;
9 Email: mhendy@hueston.com

10 W. Mark Lanier (*Admitted Pro Hac Vice*)
11 THE LANIER LAW FIRM P.C.
12 6810 FM 1960 West
13 Houston, Texas 77069
14 Telephone: (713) 659-5200
15 Facsimile: (713) 659-2204
16 Email: wml@lanierlawfirm.com

Lee A. Cirsch (SBN 227668)
THE LANIER LAW FIRM P.C.
10866 Wilshire Blvd., Suite 400
Los Angeles, California 90024
Telephone: (310) 277-5100
Facsimile: (310) 277-5103
Email: lee.cirsch@lanierlawfirm.com

Pursuant to Civ. L. R. 5-1(i), the filer attests that concurrence in this filing has been obtained from each of the above signatories.